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Held at Headquarters, New York,
on Monday, 14 July 1997, at 10.30 a.m.

Chairperson: Ms. KHAN

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The meeting was called to order at 10.40 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Armenia (CEDAW/C/ARM/1 and Corr.1)

1. At the invitation of the Chairperson, Mr. Abelian and Mr. Avakian (Armenia) took places at the Committee table.

2. Mr. ABELIAN (Armenia) said that after gaining independence in 1991, Armenia had begun implementing fundamental economic and political reforms. As in the case of all the former Soviet republics, Armenia's economy had been strained by the changes that had followed the disintegration of the Union of Soviet Socialist Republics and the transition to a market economy, which had been made even more painful by over-reliance on trade with the other former Soviet States, the blockade of the main transportation routes, a severe energy crisis and the damage inflicted by the devastating earthquake of 1988. Armenia had therefore been greatly dependent on foreign humanitarian aid during the first years of independence. It was only over the past two years that the Government had been in a position to start implementing a policy of social and economic development and to focus on long-term social issues rather than everyday needs.

3. One of the main features of that process was the mainstreaming of a gender perspective into national development policy. Armenia had made a full commitment to the implementation of the Platform for Action of the Fourth World Conference on Women, as it had earlier to the Convention, to which it had acceded without reservations in 1993. Since becoming a member of the United Nations in March 1992, Armenia had acceded to a number of human rights instruments; it was now carrying out legal reforms to adjust its legislation to the standards embodied in those instruments. The adoption of the new Constitution in 1995 had been the most important step in that direction. The preparation of the initial report under article 18 of the Convention had been an important exercise in evaluating what had been done and what needed to be done. In that connection, he noted that the corrigendum in document CEDAW/C/ARM/1/Corr.1 was intended to replace paragraphs 34 to 99 of the original report in document CEDAW/C/ARM/1, and that paragraphs 1, 2, 5, 6, 7, 9, 12 and 13 of the original report remained valid.

4. Mr. AVAKIAN (Armenia) said that despite the difficulties resulting from the 1988 earthquake, the massive influx of refugees and the period of transition, Armenia had undertaken a series of political, economic and social reforms aimed at the establishment of a market economy and of a democratic society based on the rule of law. The legal status of women was defined in the 1995 Constitution. Women's rights were considered to be an integral part of human rights; the designations used in the Constitution were gender-neutral. While there was no chapter of the Constitution specifically devoted to the question of discrimination against women, several provisions, in particular articles 15, 16 and 32 (2), aimed to ensure, directly or indirectly, equality and equity between men and women. Women's constitutional rights were therefore in no way inferior

to those of men; at the practical level, however, some difficulties persisted. Under article 116, paragraph 2, of the Constitution, laws and other legal instruments of Armenia remained in force to the extent that they did not contravene the Constitution. Since independence, the appropriate bodies of Armenia had adopted many legislative texts and substantially modified laws and codes from the Soviet era, thereby considerably improving the legal status of women.

5. Many changes had been made to the Family and Marriage Code, which dated from 1969. Under article 1, the marriage contract was based on the free and full consent of the spouses. The spouses had equal personal and property rights. Each spouse had the right to use either or both of the spouses' surnames. The indication of the father's name in official documents, a legacy of the Soviet era, had been abolished. Children could use the surname of either parent. Divorce could be requested by either spouse, but the husband could not unilaterally request a divorce when the wife was pregnant or during the year following childbirth. From 1989 to 1994, there had been a 15 per cent divorce rate. Parents had equal rights and obligations towards their children; in the event of divorce, in the absence of agreement between the spouses, the court decided on the question of custody. Under article 5 of the Code, the family was under the protection and care of the State, which provided assistance, particularly in the form of allowances to single mothers and mothers with many children. Several special measures had been taken to enable women to combine motherhood and work, taking into consideration the health and interests of the mother and the child. Under articles 189 to 193 of the Labour Code, women received 70 days' paid leave before the birth of a child and were entitled to two years' maternity leave.

6. Many changes had been made to the Civil Code as well; a new draft Code had just been drawn up by Parliament and would be considered in September or October 1997. The Code guaranteed equal property rights to all nationals.

7. The Criminal Code envisaged penalties for forcing a woman to have sexual relations, forbidding a woman to get married, forcing a woman to obtain an abortion or refusing to hire a woman because she was pregnant. Under article 8 of the Code of Criminal Procedure and article 5 of the Code of Civil Procedure, women and men had equal rights in the civil and criminal courts.

8. Under article 3, paragraph 2, of the Law on Citizenship, citizens of Armenia were equal before the law irrespective of nationality and of the procedure by which citizenship had been acquired. Under article 6, the marriage of a woman who was a citizen of Armenia to an alien did not automatically change her citizenship, and vice versa. Children could have the nationality of either parent. Women did not require their husbands' permission in order to obtain a passport or travel abroad.

9. In 1991, Parliament had adopted a resolution on urgent measures for the protection of women, maternity and childhood and the strengthening of the family, under which women and mothers were granted supplementary rights in the areas of work and social security. The measures benefited single mothers, large families and elderly women, in particular. The Government had adopted a decision on monthly allowances for the unemployed and for mothers with children

under two years of age. The 1992 law on pensions also included provisions to assist mothers. A law of March 1996 on medical care provided that all persons, regardless of sex, were entitled to medical care. The entire legal system was currently being reformed and legal codes were being drawn up with the active participation of foreign experts, particularly from the Council of Europe.

10. Under article 6 of the Constitution, international treaties ratified by Armenia were an indivisible part of the country's legal system and took precedence over domestic laws. Armenia had acceded to a number of instruments which were directly or indirectly concerned with discrimination, including the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Discrimination in Education, the Equal Remuneration Convention, the Convention on the Nationality of Married Women, the Employment Policy Convention and the Discrimination (Employment and Occupation) Convention, and was considering acceding to the Convention on the Political Rights of Women. Armenia had also concluded many bilateral treaties with States in which there were Armenian nationals in order to regulate their legal status and social and labour rights, with no distinction as to sex.

11. Under article 29 of the Constitution, every citizen had the right to free choice of employment. Under article 83, women received the same wages as men for the same work and were entitled to equal advancement opportunities. Women worked in almost all areas of the labour market, although under the Labour Code they were barred from heavy manual labour or night work. As in other States undergoing economic crisis, some women were engaged in work which did not correspond to their initial field of specialization.

12. The number of women who were unemployed had increased from under 36,000 in 1992 to over 96,000 in 1996; the increase was linked with the socio-economic crisis. Women had accounted for 66 per cent of the total number of unemployed persons in 1995, with a slightly lower percentage in rural areas. The number of families with both spouses working was on the increase.

13. Women and men had equal rights to vote and to be elected to all public positions. The draft Electoral Code, which took into account recommendations by, among others, the Organization for Security and Cooperation in Europe, confirmed the equal rights of women at all levels. Although the participation of women in government was no longer subject to special quotas, there were still only a few women in government posts. The democratic elections held in 1995 had reduced the representation of women in Parliament to 12 out of a total of 190 deputies; a similar situation prevailed in municipal and regional councils. In the executive branch, women occupied only 5 to 7 per cent of high-level positions. There was currently one woman minister and three women deputy ministers. In the Ministry of Foreign Affairs, nearly 35 per cent of diplomats and 30 per cent of diplomatic personnel were women, and their numbers were increasing. As of 1996, 75 of the 336 lawyers licensed by the Ministry of Justice had been women, and 41 of the 72 notaries public in Armenia were women. Of the 94 judges appointed by the President of the Republic in 1996, 25 were women, and one of the nine judges of the Constitutional Court was a woman. Recently, a women's police unit had been put in charge of road traffic in Yerevan.

14. Since independence, non-governmental organizations had played an active role in nearly all spheres of political and public life.

15. The 1996 law on public organizations authorized all persons, without distinction, to found associations or non-governmental organizations, and stipulated that the State must protect the rights and interests of such organizations. Women made up the vast majority of members of non-governmental organizations. There were about 30 women's organizations in Armenia that promoted women's political, social and cultural rights.

16. Shamiram, the second largest political faction in Parliament, consisted wholly of women; eight of its members had been elected to the National Assembly. Its aims included the establishment of a women's employment information centre. To enhance women's active participation in society, the Armenian Women's Council had started a School for Women Leaders in 1994 to prepare girls and young women to hold positions of responsibility. Other non-governmental organizations sought to assist single mothers, mothers belonging to minority groups, female prisoners and orphans. Many periodicals and radio and television programmes dealt with the issue of women's advancement in professional life and the obstacles which they faced.

17. The Constitution stipulated that every citizen had the right to education and to access, on the basis of merit, to higher or vocational education free of charge in public institutions. Ninety eight per cent of the Armenian population was literate. Women enjoyed the same rights as men at all levels of education. In 1995, women had accounted for over half the workforce in the education sector and 54 per cent of all students in higher education. Currently, half the students in Armenia's State-licensed private educational institutions were women.

18. Despite women's active participation in education, further progress was being impeded by the insufficiency of the State budget earmarked for improving material conditions and staff salaries in educational establishments, and by the difficulties which new graduates encountered in attempting to enter the labour market. Both those factors could be traced to Armenia's economic problems.

19. The Constitution also established every citizen's right to health care. According to 1996 data, nearly 70 per cent of all doctors in Armenia were women. However, only 23 per cent of them occupied decision-making positions in the corresponding administration. Roughly half the 79 professional staff of the Ministry of Health were women. Moreover, 90 per cent of all university students in the health care field were women.

20. Reproductive health had only recently begun to receive attention in Armenia; the lack of family planning services was a serious problem. Abortion was legal only during the first 14 weeks of pregnancy. Official statistics from 1992 showed that the rate of known abortions was 405 per 1,000, or 1 for every 2.5 live births. Contraceptive use was gradually becoming more widespread; most pharmacies sold contraceptives, and information on their use was being publicized more widely.

21. The obstacles identified in the education sector also impeded progress in the health sector, but problems in the latter sector were mitigated by the existence of many sources of foreign financing, in the form of grants or investments. In addition, the privatization of part of the health care system might help to remedy those difficulties.

22. Since 1988, Armenia had had to deal with two waves of refugees: one from Azerbaijan and Nagorno-Karabakh and the other from the northern parts of the country affected by the earthquake. In 1993, refugees and displaced persons, 55 per cent of whom had been women, had made up 14 per cent of Armenia's population. Many studies had shown that refugee women lived in more difficult conditions than refugee men. Most of them had been settled in rural areas and were unaccustomed to rural life. The Government had launched a five-year national programme for the social and economic integration of refugees, and the most disadvantaged refugees were receiving assistance from international organizations.

23. With regard to rural women, under the Constitution, all citizens had the right to own land. There was no specific law concerning women working in agriculture. Social services in various parts of Armenia paid special attention to family problems and to improving the social situation of women. The Ministry of Health, in cooperation with the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO), was working to improve women's health conditions in rural areas. Under the 1991-1992 land privatization programme, land had been distributed without regard to gender considerations.

24. Currently, Armenia had no special institution for the protection of women's rights, but the issue was being addressed by many public institutions, including the Ministry of Social Affairs and the Centre for Democracy and Human Rights. In addition, departments of social affairs had been set up within a number of ministries and public agencies to ensure social protection for the population, especially women and children. The National Assembly's Committee on Health and Social Issues and the Government's Social Policy Department, both of which had been headed by women since 1996, also played an important role.

25. Based on the outcome of the Fourth World Conference on Women, the Ministry of Social Affairs had begun to prepare a document on the principal provisions relating to the improvement of the status of women in Armenia, with a view to setting State policy on the subject, achieving de facto equality between women and men and ensuring women's equal participation in economic, political, social and cultural life. Those goals would be achieved by guaranteeing women's participation in decision-making, creating conditions favourable to women's specialized training and education, helping to guarantee women's labour rights, helping rural women to overcome their difficulties and establishing appropriate mechanisms for the implementation and monitoring of international conventions.

26. Despite the serious problems which they had caused, the economic crisis and the liberalization process had created conditions favourable to women's economic independence. However, such independence was a long-term goal, since it required changes in attitudes among both women and men. Women must be further integrated into the development process as indispensable and equal participants.

International organizations could play an important role in that regard, inter alia through international conventions and their monitoring mechanisms.

27. Armenia's membership in various regional organizations, such as the Council of Europe, would also have positive effects. In particular, enabling individuals to bring alleged violations of the European Convention on Human Rights directly before the European Court of Human Rights would provide supplementary guarantees. Lastly, Armenia was currently preparing draft legislation on its civil service which included provisions specifically related to women's career advancement.

28. Ms. BERNARD said that the Armenian Government was to be commended for ratifying the Convention without reservations and for submitting its initial report so soon after achieving independence. Unfortunately, however, the overall position of women in Armenia had declined over the years, especially in terms of their representation in Parliament. Despite women's predominance in higher education, few women occupied high-income posts. The Constitution guaranteed equality between the sexes, but placed too much emphasis on protecting women's traditional role as mothers and caregivers. Little effort had been made to encourage women to participate more fully in development. Nonetheless, the Government had demonstrated the will to promote women's rights despite the many obstacles which it faced.

29. With respect to the statement in paragraph 21 of the initial report (CEDAW/C/ARM/1) that the Supreme Court must examine and approve all laws before they came into force, she wondered how that function was reconciled with the usual role of the judiciary in interpreting legislation.

30. Ms. FERRER said that it was disturbing to note that the majority of Armenia's population lived below the poverty line and that most unemployed persons, refugees and displaced persons were women. She wondered how women were specifically included in economic and social development programmes and whether any specific action for women had been taken in the context of poverty-reduction efforts. Despite the population's deeply rooted prejudices concerning the role of women and the decline in women's participation in many areas, Armenia had no national machinery for women's advancement. She asked whether the Government was considering the establishment of such machinery. She also asked whether the Ministry of Social Security, which addressed women's issues, had launched any specific programmes for the advancement of women. Lastly, she asked whether the Centre for Democracy and Human Rights was a government body and to what extent it worked specifically for women's rights.

31. Ms. ACAR said that Armenia was to be commended for ratifying the Convention despite all the hardships which it faced. However, in order to put the Convention into effect, other steps were needed. She wished to know whether the Convention had been translated into Armenian, to what extent its nature and concepts had been publicized and whether the issue of discrimination was a matter of public debate. Machinery for implementing the Convention was critical in the early stages following ratification and required Government efforts and political will.

32. With regard to article 3, she had been pleased to hear of ongoing efforts to review domestic legislation to make it compatible with international treaties, and wondered whether any such effort had been made concerning the Convention on the Elimination of All Forms of Discrimination against Women. She also asked what was being done to implement the Government's stated policy of mainstreaming a gender perspective.

33. Ms. GONZALEZ said that, despite the absence of national machinery for the advancement of women, the report mentioned that women's interests were represented by the Centre for Democracy and Human Rights within the Ministry of Foreign Affairs and by the Ministry of Social Affairs. She would welcome further information as to which institution would be responsible for the eventual establishment of national machinery for the advancement of women and whether any other government agencies or non-governmental organizations would be involved.

34. Ms. ESTRADA said that the cause of equal rights for women appeared to have lost ground in Armenia since independence. She requested more information on any plans, programmes or projects to guarantee equality between men and women. She wondered whether, in drafting the new Constitution, Parliament had considered including provisions that guaranteed equal rights for women. An explanation of the legal basis whereby children could take the surname of either parent would be useful. She asked whether women in Armenia could invoke the Convention directly when claiming a violation of their rights. More information was needed on plans or proposals to combat discrimination, for example through laws against domestic violence and sexual assault.

35. The Armenian Government should seize the opportunity to incorporate guarantees of women's rights into its new Constitution and legislation.

36. Ms. Yung Chung KIM asked whether the criminal courts had considered any cases of rape.

37. Ms. HARTONO asked why in a society with 98 per cent literacy rate, men far outnumbered women in decision-making positions and the majority of the population lived below the poverty line. She would like to hear more about the attitudes of educated women and any efforts which they might be making to change the double standard that existed in Armenia, and how they viewed the role of Armenian women in the twenty-first century and the changes that might be made in their traditional roles.

38. Ms. CARTWRIGHT requested more information on the relationship between the Convention and the Constitution. She wondered whether the notion of indirect discrimination was taken up in the Constitution and, if so, whether it reflected the definition of discrimination found in the Convention. Did the courts have the power to strike down practices which were in breach of international conventions, for instance, the restrictions on night work by women? She also wished to know how much access women had to the courts and whether there were any women lawyers' groups which could assist them in bringing action before the courts, including the Constitutional Court.

39. Ms. CORTI said that if the Government failed to take action to improve the status of women, it would be losing a valuable opportunity to make progressive reforms. She would like to hear more about the practical implications of Armenia's accession to international human rights instruments and how their provisions were reflected in its domestic law. More details were needed on the powers of the Centre for Democracy and Human Rights and the reasons for placing women's concerns under the Ministry of Social Affairs.

40. Lastly, it seemed to her that, while it was easy for the Government to maintain that women were the victims of traditional cultural attitudes and, moreover, that they were generally happy with their traditional role, that reflected a lack of political will to address discrimination against women.

41. Ms. Yung Chung KIM said that she found no evidence of special measures for the advancement of women, especially in view of women's low level of representation in decision-making positions. The need for such measures must be recognized and targets and time-frames set for achieving de facto equality as soon as possible.

42. Ms. BARE asked which inequalities the national programme of action referred to in paragraph 16 of document CEDAW/C/ARM/1/Corr.1 was intended to address, whether any benchmarks or time-frames existed for dealing with such inequalities and what technical and financial resources were being made available to do so. She also asked whether the Ministry of Social Affairs had the power to develop programmes and engage in advocacy on behalf of women and, if not, whether the Government intended to establish national machinery for that purpose.

43. Ms. ABAKA pointed to the apparent disparity between the high educational level of Armenian women and their low representation in decision-making and asked whether the Government had any plans to promote the advancement of women, redefine the roles of women and men and increase the participation of women in public life.

44. Ms. ACAR expressed concern at the report's undue emphasis on motherhood and its apparent perpetuation of gender stereotypes and asked whether any measures were being taken to combat such stereotyping in Armenian society. She requested information on violence, particularly domestic violence against women, measures to combat such violence and efforts to train police and health workers to recognize signs of such violence in victims. Lastly, she requested information on the current situation of women who had been detained or taken hostage in the context of the recent armed conflict in Armenia.

45. Ms. SHALEV, referring to the stereotypical images of women conveyed throughout the report, said that the Government also had an obligation to accelerate the evolution of cultural attitudes and to ensure that society adapted to the changes in women's roles. Governments should not raise obstacles to the advancement of women, as had apparently occurred in Armenia with the closing down of a newspaper that had disseminated information on women's rights and with the lowering of the marriage age. She joined in recommending the establishment of national machinery for the advancement of women, which would use the media and the education system proactively to change stereotypes of women in society. She asked what social realities or behaviours lay behind the

statistics given in paragraph 20 of the corrigendum to the report concerning the crime of forcing or forbidding a woman to marry, and requested information on domestic violence. The Government's silence on that score might reflect an unwillingness to acknowledge that the problem existed and she urged it actively to encourage an open discussion of domestic violence and to train police and health care professionals to recognize its signs and symptoms. Lastly, she requested information on violence against female refugees and on any treatment programmes available to victims of such violence.

46. Ms. FERRER echoed the concerns expressed at the numerous references in the report to stereotypical roles and images of women and pointed out that many of the roles assigned to women by society were not biologically determined and could be shared equally by men. She urged the Government to introduce programmes designed to change attitudes towards women, especially in view of the persistence, referred to in paragraph 49 of the original report, of a traditional "right" of men to physically punish women in the family. She asked whether there were any laws which dealt specifically with offences of that kind.

47. Ms. OUEDRAOGO, endorsing the concerns expressed at the gender stereotyping reflected in the report, expressed particular concern at forced and early marriages and asked for further information on the effects of such marriages on women's health. She also asked how much awareness there was of the need to combat gender stereotypes and what had been done to publicize the Convention, especially among younger women and girls. She urged the Government to accelerate gender mainstreaming in an effort to combat stereotypes, and emphasized the importance of strategic advocacy in that approach.

48. Ms. CARTWRIGHT noted that general recommendation No. 19 dealt with violence against women and requested States parties to submit reports on that issue. Experience suggested that the level of such violence was high in Armenia, given the intense social stresses caused by reduced living standards, high unemployment and the after-effects of the 1988 earthquake and the armed conflict. The report gave virtually no statistics on violence against women and no information on measures to combat it, and it did not indicate whether police and health professionals were being made more aware of the problem or whether shelters or other forms of protection were available to victims. While she would welcome any information that was currently available on the issue, she recommended that it should also be discussed in depth in Armenia's next report.

49. Ms. JAVATE DE DIOS said that the statistics on crimes of violence against women given in paragraph 20 of the corrigendum appeared to conceal a degree of under-reporting; she asked how those statistics had been collected. The absence of Government programmes for dealing with violence against women could itself have been a contributing factor, by discouraging women from reporting such crimes. She asked whether any support mechanisms for victims of violence were being contemplated and whether law enforcement officers were being trained to help women in that regard. She was puzzled by the reference in the same paragraph to forced or forbidden marriage and requested further information on that issue.

50. The CHAIRPERSON echoed the concerns expressed about the apparent stereotyping of women in the report. Education should be the most effective

means of eradicating such stereotypes, yet the Government seemed to be moving in the opposite direction by taking measures such as lowering the marriage age. Such action had the effect of discouraging women's participation in public life and reducing their access to paid employment. She asked for the views of non-governmental organizations operating in Armenia and whether Armenian women had been consulted regarding the Government's actions.

The meeting rose at 1 p.m.